

## STATE OF SOUTH CAROLINA

## (Caption of Case)

IN RE: State Universal Service Support of Basic  
Local Service Included in a Bundled Service Offering  
or Contract Offering

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET

NUMBER: 2009 - 326 - C

(Please type or print)

Submitted by: Sue-Ann Gerald Shannon

SC Bar Number: 71181

Telephone: 803-799-9800

Fax: 803-753-3219

Other:

Address: McNair Law Firm, P.A.

P O Box 11390

Columbia, SC 29211

Email: sshannon@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☒ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

## INDUSTRY (Check one)

## NATURE OF ACTION (Check all that apply)

☐ Electric☐ Affidavit☒ Letter☐ Request☐ Electric/Gas☐ Agreement☐ Memorandum☐ Request for Certification☐ Electric/Telecommunications☐ Answer☒ Motion☐ Request for Investigation☐ Electric/Water☐ Appellate Review☐ Objection☐ Resale Agreement☐ Electric/Water/Telecom.☐ Application☐ Petition☐ Resale Amendment☐ Electric/Water/Sewer☐ Brief☐ Petition for Reconsideration☐ Reservation Letter☐ Gas☐ Certificate☐ Petition for Rulemaking☐ Response☐ Railroad☐ Comments☐ Petition for Rule to Show Cause☐ Response to Discovery☐ Sewer☐ Complaint☐ Petition to Intervene☐ Return to Petition☒ Telecommunications☐ Consent Order☐ Petition to Intervene Out of Time☐ Stipulation☐ Transportation☐ Discovery☐ Prefiled Testimony☐ Subpoena☐ Water☐ Exhibit☐ Promotion☐ Tariff☐ Water/Sewer☐ Expedited Consideration☐ Proposed Oder☐ Other:☐ Administrative Matter☐ Interconnection Agreement☐ Protest☐ Other:☐ Interconnection Amendment☐ Publisher's Affidavit☐ Late-Filed Exhibit☐ Report

Print Form

Reset Form

November 17, 2009

M. John Bowen, Jr.

jbowen@mcnair.net  
T (803) 799-9800  
F (803) 753-3219

*via Electronic Filing and Hand Delivery*

Charles L. A. Terreni  
Chief Clerk and Administrator  
SC Public Service Commission  
PO Drawer 11649 (29211)  
101 Executive Center Drive  
Suite 100  
Columbia, SC 29210

Re: Admission *Pro Hac Vice* - **Thomas J. Navin, Esq.**  
In re: State Universal Service Support of Basic Local Service Included  
in a Bundled Service Offering or Contract Offering  
Docket No. 2009-326-C

Dear Mr. Terreni:

Attached for filing please find a Motion for Admission *Pro Hac Vice* for Thomas J. Navin on behalf of the South Carolina Telephone Coalition in the above-referenced docket. By copy of this letter, I am serving a copy of this Motion on all parties of record.

The hearing in the above-referenced docket is scheduled for this Friday, November 20th, and we respectfully request that our Motion be considered by the Commission at its Agenda meeting on November 19th.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,

McNair Law Firm, P.A.

  
M. John Bowen, Jr.

McNair Law Firm, P.A.  
The Tower at 1301 Gervais  
1301 Gervais Street, 11th Floor  
Columbia, SC 29201

Mailing Address  
P.O. Box 11390  
Columbia, SC 29211

mcnair.net

Enclosures

cc: Thomas J. Navin, Esq.  
Parties of record

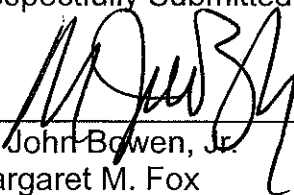
**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
Docket No. 2009-326-C**

In Re: State Universal Service Support )  
of Basic Local Service Included )  
In a Bundled Service Offering )  
or Contract Offering )  
\_\_\_\_\_ )

**MOTION FOR ADMISSION  
*PRO HAC VICE***

The South Carolina Telephone Coalition ("SCTC") respectfully moves the Public Service Commission of South Carolina ("the Commission") to permit Thomas J. Navin to practice *pro hac vice* before the Commission in the above-referenced matter. SCTC further requests that this Motion be taken up by the Commission as soon as possible but not later than at the beginning of the first day of the hearing in these proceedings, which is scheduled to begin on Friday, November 20, 2009. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Navin, together with the undersigned counsel of record, have filed an application for admission *pro hac vice* with the Supreme Court of South Carolina, which is attached to this Motion.

Respectfully Submitted,



\_\_\_\_\_  
M. John Bowen, Jr.  
Margaret M. Fox  
McNair Law Firm, P.A.  
Post Office Box 11390  
Columbia, S.C. 29211  
(803) 799-9800  
jbowen@mcnair.net; pfox@mcnair.net

Attorneys for South Carolina Telephone  
Coalition

November 17, 2009  
Columbia, South Carolina.

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

In re: State Universal Service Support of  
Basic Local Service Included in a Bundled  
Service or Contract Offering

Docket No. 2009-326-C

South Carolina Public Service  
Commission

Plaintiff

Case No.

Court

vs.

Mailing Address of Court:

Public Service Commission of South  
Carolina  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

Defendant

Comes now Thomas J. Navin, applicant herein, and respectfully represents the following:

1. Applicant resides at:

11111 Bowen Avenue

Street Address

Great Falls

Fairfax

VA

22066

City

County

State

Zip Code

7034509164

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Wiley Rein, LLP, with offices at

1776 K. Street

Street Address

Washington

City

County

DC

State

20006

Zip Code

202-719-7487

Telephone

202-719-7049

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by McNair Law Firm, P.A., to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since January of 1996, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of District of Columbia where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

The Courts of the Commonwealth of Virginia	November 1994
The Courts of the District of Columbia	January 1996

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:  
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

Applicant is currently in good standing in the Commonwealth of Virginia but inactive in status.

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

N/A

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

N/A

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

N/A

9. Local counsel of record associated with applicant in this case is M. John Bowen, Jr., of the McNair Law Firm, P.A., which has offices at:

1301 Gervais Street, 18<sup>th</sup> Floor

Street Address			
<u>Richland</u>	<u>Columbia</u>	<u>SC</u>	<u>29201</u>
County	City	State	Zip Code
<u>803-799-9800</u>			
Telephone			

If applicable list all other firms/attorneys you are associated with in this matter

N/A

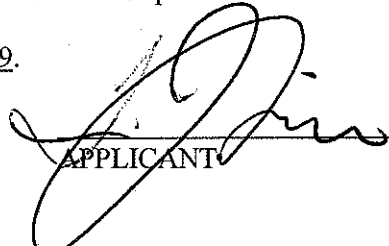
10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 16 day of November, 2009.

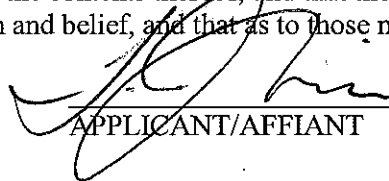
  
\_\_\_\_\_  
APPLICANT

**VERIFICATION**

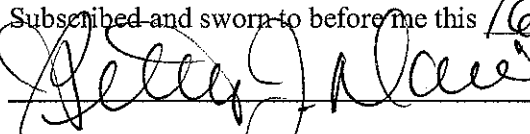
STATE OF District of Columbia)

COUNTY OF \_\_\_\_\_)

I, Thomas J. Navin, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof, and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
\_\_\_\_\_  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 16<sup>th</sup> day of November, 2009.

  
\_\_\_\_\_

Notary Public for the State of \_\_\_\_\_ **BETTY J. DAVIS**  
**NOTARY PUBLIC DISTRICT OF COLUMBIA**  
My Commission Expires September 14, 2014

My Commission Expires: \_\_\_\_\_

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this \_\_\_\_\_ day of November, 2009.

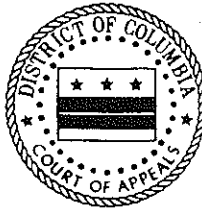
**SEE ATTACHED SIGNATURE PAGE**  
\_\_\_\_\_  
**LOCAL COUNSEL OF RECORD**

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 17th day of November, 2009.

  
\_\_\_\_\_  
LOCAL COUNSEL OF RECORD



District of Columbia Court of Appeals  
Committee on Admissions  
430 F Street, N.W. — Room 123  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia  
Court of Appeals, do hereby certify that

THOMAS J. NAVIN

---

was on the 5TH day of JANUARY, 1996  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on  
November 16, 2009.

GARLAND PINKSTON, JR., CLERK

By: Jacqueline M. Smith  
Deputy Clerk





## VIRGINIA STATE BAR

### *CERTIFICATE OF GOOD STANDING*

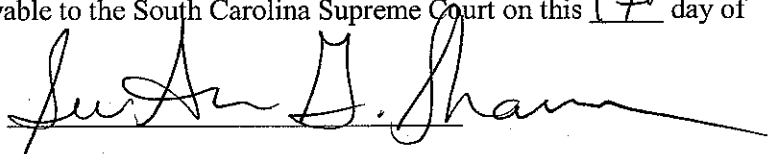
*THIS IS TO CERTIFY THAT **THOMAS JOHN NAVIN** IS AN ASSOCIATE MEMBER OF THE VIRGINIA STATE BAR  
IN GOOD STANDING. **MR. NAVIN** WAS LICENSED TO PRACTICE LAW IN VIRGINIA ON **OCTOBER 6, 1994**, AFTER  
SUCCESSFULLY PASSING THE BAR EXAMINATION GIVEN BY THE VIRGINIA BOARD OF BAR EXAMINERS.*

*Issued November 12, 2009*

KAREN A. GOULD  
EXECUTIVE DIRECTOR AND  
CHIEF OPERATING OFFICER

### CERTIFICATE OF SERVICE

I hereby certify that I caused to have served a copy of this application upon the South Carolina Supreme Court by hand delivery to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 17<sup>th</sup> day of November, 2009.

A handwritten signature in black ink, appearing to read "Susan D. Sham", is written over a horizontal line.

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF  
SOUTH CAROLINA

Docket No. 2009-326-C

**IN RE:**

**State Universal Service Support of Basic  
Local Service Included in a Bundled Service  
Offering or Contract Offering**

**CERTIFICATE  
OF SERVICE**

I, Betty Y. Wheeler, do hereby certify that I have this date served one (1) copy of South Carolina Telephone Coalition's Motion for Admission *Pro Hac Vice* for Thomas J. Navin upon the following parties of record by causing said copies to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as follows

BENJAMIN P. MUSTIAN  
WILLOUGHBY & HOEFER, P.A.  
P O BOX 8416  
Columbia, SC 29202

BONNIE D. SHEALY, ESQUIRE  
ROBINSON, MCFADDEN &  
MOORE, PC  
P O Box 944  
COLUMBIA, SC 29202

BURNET R. MAYBANK III  
NEXSEN PRUËT, LLC  
1230 MAIN STREET  
SUITE 700  
COLUMBIA, SC 29202

FRANK R. ELLERBE, III  
ROBINSON, MCFADDEN &  
MOORE, P.C.  
P O Box 944  
COLUMBIA, SC 29202

J. PHILLIP CARVER  
AT&T  
675 PEACHTREE ST., NE  
ATLANTA, GA 30375

JOHN M.S. HOEFER  
WILLOUGHBY & HOEFER, P.A.  
P O BOX 8416  
COLUMBIA, SC 29202-8416

SUSAN S. MASTERTON  
EMBARQ  
1313 BLAIR STONE ROAD  
TALLAHASSEE, FL 32301

WILLIAM R. ATKINSON  
SPRINT COMMUNICATIONS  
233 PEACHTREE STREET  
SUITE 2200  
ATLANTA, GA 30303

NANETTE S. EDWARDS, ESQUIRE  
OFFICE OF REGULATORY STAFF  
1401 MAIN STREET  
SUITE 900  
COLUMBIA, SC 29201

PATRICK W. TURNER, ESQUIRE  
AT&T  
P O Box 752  
COLUMBIA, SC 29202

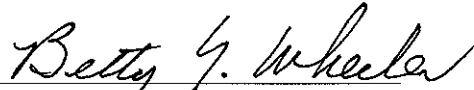
SCOTT ELLIOTT, ESQUIRE  
ELLIOTT & ELLIOTT, P.A.  
721 OLIVE STREET  
COLUMBIA, SC 29205

STAN BUGNER  
STATE DIRECTOR  
VERIZON SOUTH, INC.  
1301 GRAVIS STREET  
SUITE 825  
COLUMBIA, SC 29201

STEVEN W. HAMM, ESQUIRE  
RICHARDSON, PLOWDEN &  
ROBINSON, PA  
P O DRAWER 7788  
COLUMBIA, SC 29202

ZELL GILBERT, ESQUIRE  
UNITED TELEPHONE COMPANY  
OF THE CAROLINAS  
1122 LADY STREET  
SUITE 1050  
COLUMBIA, SC 29211

JOHN J. PRINGLE  
ELLIS, LAWHORNE & SIMS, P.A.  
P O Box 2285  
COLUMBIA, SC 29202



Betty Y. Wheeler  
McNair LAW FIRM, P.A.  
Post Office Box 11390  
Columbia, South Carolina 29211  
(803) 799-9800

November 17, 2009

Columbia, South Carolina